

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	14-00144-01-CR-W-DGK
)	
CEDRIC L. BUCKNER,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on September 9, 2015. Defendant Cedric Buckner appeared in person and with Assistant Federal Public Defender Travis Poindexter. The United States of America appeared by Assistant United States Attorneys William Meiners and Bruce Clark.

I. BACKGROUND

On May 22, 2014, an indictment was returned charging defendant with one count of possessing ammunition after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Meiners announced that he will be the trial counsel for the government. AUSA Bruce Clark may be present. The case agent to be seated at counsel table is Special Agent Katye Wray, ATF.

Mr. Poindexter announced that he will be the trial counsel for defendant Cedric Buckner. His investigator, Julie Eilers, may be present.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Clark announced that the government intends to call 6 witnesses without stipulations or 3 witnesses with stipulations during the trial.

Mr. Poindexter announced that defendant Cedric Buckner intends to call no witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Clark announced that the government will offer approximately 11 exhibits in evidence during the trial.

Mr. Poindexter announced that defendant Cedric Buckner will offer approximately 5 exhibits in evidence during the trial.

VI. DEFENSES

Mr. Poindexter announced that defendant Cedric Buckner will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Poindexter stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to interstate nexus and prior felony conviction.

IX. TRIAL TIME

Counsel were in agreement that this case will take 1 1/2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed January 14, 2015, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all

available exhibits premarked using the stickers provided by the Clerk of Court by September 9, 2015;

That counsel for each party file and serve requested jury voir dire examination questions -- in the form of individually numbered questions -- by or before noon, Wednesday, September 16, 2015.

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, September 16, 2015. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

Motions in limine on the following issues may be filed: The defendant may file a motion in limine regarding redacting a video. The government may file a motion in limine regarding Giglio issues. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on September 21, 2015. **The parties request the second week of the trial docket because both the prosecutor and defense counsel have oral arguments before the Eighth Circuit during the first week of the trial docket.**

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
September 9, 2015

¹Counsel in all cases assigned to be tried before Judge Fernando Gaitan, Jr., as reflected in the forthcoming trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by Friday, September 18, 2015. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.